

Calendar No. 1504

83D CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1482

PROVIDING FOR A CONTINUANCE OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS

JUNE 2 (legislative day, MAY 13), 1954.—Ordered to be printed

Mr. BUTLER of Nebraska, from the Committee on Interior and Insular Affairs, submitted the following

R E P O R T

[To accompany S. 3318]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 3318) to provide for a continuance of civil government for the Trust Territory of the Pacific Islands, having considered the same, report favorably and urge that the bill do pass without amendment.

PURPOSE OF MEASURE

The purpose of S. 3318 is to authorize appropriations necessary for the continuation of the government of the Trust Territory of the Pacific Islands. Such appropriations are not to exceed \$7,500,000 a year, and this maximum figure includes funds for the islands under Interior Department administration and for those that have been transferred to naval administration.

Legislation is necessary because of the position taken by the House Appropriations Committee with respect to the Interior Department appropriation bill for 1955 (H. R. 8680). The House committee refused to allow the Bureau of the Budget request for \$5,825,000 for the trust territory, and explained its action in its report on the bill as follows:

TRUST TERRITORY OF THE PACIFIC ISLANDS

The budget estimate of \$5,825,000 for the Trust Territory of the Pacific Islands has been entirely disallowed. As indicated in reports on the bills for the last 2 years, an appropriation under this head would be subject to a point of order when the bill comes before the House of Representatives since organic legislation has not been enacted. The committee recognizes that some appropriation will be necessary for administration of this critical area. It is hoped that organic legislation will be adopted before the conference on the bill (H. Rept. 1460, to accompany H. R. 8680, p. 17).

CONTINUE CIVIL GOVERNMENT FOR THE TRUST TERRITORY

The committee has proposals for the government of the trust territory under consideration, but does not deem it advisable to attempt to take final action at this time. Therefore, it is recommending this simple authorization bill pending further developments.

LEGAL AND GEOGRAPHIC BACKGROUND

The Trust Territory of the Pacific Islands are the former Japanese mandated islands which were the scene of many historic battles in World War II. The territory comprises three main island groups: The Marshalls, the Carolinas, and the Marianas, except for Guam, and stretches from latitude 1° to 20° N., and from longitude 130° to 170° E. Thus, it covers some 3 million square miles, and contains 96 distinct atolls or units composed of 2,141 individual islands which have a combined land area of approximately 687 square miles. The extreme distance east and west is 2,727 statute miles, and the extreme distance north and south is 1,477 statute miles.

The total indigenous population of all these islands added together amounts to 57,037. Of these, 5,599, the populations of Saipan and Tinian, had been placed under Navy jurisdiction by President Eisenhower's Executive order of January 1, 1953.

The responsibility of the United States for the government of these islands arises from Public Law 204, 80th Congress (61 Stat. 397) which authorized the President to approve a trusteeship agreement with the Security Council of the United Nations respecting them. Responsibility for civil administration was delegated to the Secretary of the Navy on an interim basis by Executive Order 9875 of July 18, 1947. In accordance with Executive Order 10265 dated June 29, 1951, administrative responsibility was transferred to the Secretary of the Interior, effective July 1, 1951. By Executive Order 10408 of November 10, 1952, the administration of the islands of Saipan and Tinian in the northern Marianas was transferred for security reasons to the Department of the Navy, effective January 1, 1953. Further transfers of individual islands or of the entire area, for that matter, are, of course, possible at any time for security or other reasons.

EXECUTIVE AGENCY REPORTS

The reports of the Department of State, the Bureau of the Budget, and of the Department of the Interior recommending enactment of S. 3318 are set forth below.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 7, 1954.

HON. HUGH BUTLER,
Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request of April 21, 1954, for the views of the Bureau of the Budget on S. 3318, a bill to provide for a continuance of civil government for the Trust Territory of the Pacific Islands.

S. 3318 will afford statutory authority for continuation of civil government for the trust territory pending enactment of organic legislation. Appropriations not to exceed \$7,500,000 per year are authorized to carry out the provisions of the act.

The authority for the civil government of the trust territory contained in Public Law 229, 83d Congress, expires on June 30 of this year. It is desirable

CONTINUE CIVIL GOVERNMENT FOR THE TRUST TERRITORY 3

that continuing authority, as contained in S. 3318, be provided until appropriate organic legislation can be developed and adopted.

This Bureau recommends the enactment of S. 3318.

Sincerely yours,

DONALD R. BELCHER,
Assistant Director.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., May 11, 1954.

HON. HUGH BUTLER,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.*

MY DEAR SENATOR BUTLER: This will reply to your request for the views of this Department on S. 3318, a bill to provide for a continuance of civil government for the Trust Territory of the Pacific Islands.

I recommend that the bill be enacted.

The purpose of S. 3318 is to afford statutory authority for the continuation of civil government for the trust territory by providing that all executive, legislative, and judicial authority necessary for the civil administration of the trust territory shall continue to be vested in such person or persons and shall be exercised in such manner and through such agency or agencies as the President may direct or authorize. The bill would authorize the appropriation of such sums, not in excess of \$7,500,000 annually, as are necessary to carry out its purposes.

By joint resolution dated July 18, 1947 (61 Stat. 397), the President was authorized to approve the trusteeship agreement between the United States and the Security Council of the United Nations by which the United States became the administering authority for the Trust Territory of the Pacific Islands. Since that time, the Congress has enacted virtually no legislation having application to the trust territory. By Executive Order 9875 of July 18, 1947, there was delegated to the Secretary of the Navy authority and responsibility for civil administration, on an interim basis, but by Executive Order 10265 of June 29, 1951, the President transferred authority for civil administration to the Secretary of the Interior. By Executive Orders 10408 of November 10, 1952, and 10470 of July 17, 1953, jurisdiction over a portion of the northern Marianas in the trust territory was restored to the Secretary of the Navy.

Although appropriations were made annually for the expenses of civil government prior to 1953, there was no legislation specifically authorizing such appropriations until the present Congress, in Public Law 229 (67 Stat. 494), authorized the continuance of civil government in the trust territory until June 30, 1954, and the appropriation of funds for such government. S. 3318 would continue this authority. Enactment of the bill would provide substantive authority for appropriations and, in addition, would give the general and broad authority for carrying on civil government functions which has been provided in the past in connection with the governments of the United States Territories of the Virgin Islands and American Samoa, prior to enactment of organic legislation.

Our experiences in connection with the civil administration of the trust territory have shown that there are many difficulties inherent in attempting to establish a government for the area based upon a detailed organic act. At this time it therefore appears to us that the more flexible governmental system is the wisest and most efficient. Since the authority contained in Public Law 229 of the 83d Congress, 1st session, will expire on June 30 of this year, I recommend enactment of S. 3318. This Department will continue to consult with the other interested departments of the Government on the question of organic legislation for the trust territory, and when the development of the area and the interests of its people appear to warrant it, we shall submit organic legislation to the Congress for its consideration.

The Bureau of the Budget has advised that there is no objection to the presentation of this report.

Sincerely yours,

ORME LEWIS,
Assistant Secretary of the Interior.

CONTINUE CIVIL GOVERNMENT FOR THE TRUST TERRITORY

DEPARTMENT OF STATE,
Washington, May 10, 1954.

Hon. HUGH BUTLER,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate.*

DEAR SENATOR BUTLER: In response to your letter of April 23, 1954, the Department of State submits the following report on S. 3318 which would provide for the continuance of civil government for the Trust Territory of the Pacific Islands.

The interest of the Department in the Trust Territory of the Pacific Islands arises from its status as a strategic trust territory within the scope of the international trusteeship system provided for in chapters XII and XIII of the United Nations Charter. The United States administers the territory in accordance with the provisions of these chapters of the charter and the terms of a trusteeship agreement with the Security Council of the United Nations. This agreement was approved by the Security Council on April 2, 1947, and by the President on July 18, 1947, acting upon authority granted by a joint resolution of the Congress (Public Law 204, 80th Cong.).

Responsibility for the administration of the territory has been vested by the President in the Secretary of the Interior, with the exception of the Saipan district, for which administrative responsibility has been assigned to the Secretary of the Navy. The responsibility of the Secretary of State is to insure that the international obligations of the United States with respect to the territory are fulfilled. The Department has primary responsibility for presenting the annual reports on the territory to the Trusteeship Council of the United Nations. The Council's consideration of these reports focuses international attention on the manner in which the United States is carrying out its obligations, particularly to promote the political, economic, social, and educational advancement of the inhabitants of the territory. It is therefore of direct interest to the Department that adequate appropriations be made by the Congress for the administration of the territory and that there be appropriate authority for such appropriations.

United States administration of the trust territory will next be examined by the Trusteeship Council in July of this year. At that time it may be expected that questions will be asked concerning the status of organic legislation for the territory. While S. 3318 does not constitute "organic legislation," it does in the Department's view represent a step forward in that it would provide continuing legislative authority for the administration of the territory and would be fully in accord with the obligation undertaken by the United States in article 12 of the Trusteeship Agreement to "enact such legislation as may be necessary to place the provisions of this agreement in effect in the trust territory."

While the Department continues to believe that the adoption of organic legislation for the territory would be desirable, it would welcome the adoption of S. 3318 as a contribution to the fulfillment of this Government's international obligations.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

THRUSTON B. MORTON,
Assistant Secretary
(For the Secretary of State).

○